

REMARKS

The following remarks are offered in complete response to the Office Action dated June 22, 2009. In light of these remarks, reconsideration of the rejections and examination of all of the claimed subject matter on the merits are respectfully requested.

Claims 29-55 are pending in this application. Claims 1-28 were previously cancelled.

Claims 42 and 44 have been amended to correct typographic errors related to percent symbols. Claims 49 and 52-55 have been amended to recite proper claim language by replacing optionally with preferably. Claims 49, 54 and 55 have also been amended to recite proper claim language by replace "of" with "having". Claims 54 and 55 have also been amended to delete "(numerator)" as this designation is not required by the claims.

Restriction has been required between:

Group I, Claims 29-48, is drawn to a process for the synthesis of polyisocyanate compositions comprising acylureas; and

Group II, Claims 49-55, is drawn to an isocyanate composition comprising acylureas.

The Office Action indicates that the technical feature which is common to both of these groups is an acylurea compound having free isocyanate groups.

Applicants hereby elect, with traverse, Group II, Claims 49-55.

For proper restriction between patentably distinct inventions: (1) the inventions must be independent or distinct as claimed; and (2) there would be a serious burden on the Examiner if restriction is not required. See M.P.E.P. § 803.

Applicants respectfully submit that it is premature to require such restriction in the absence of having first conducted searches on the claimed inventions to determine the extent of the burden. Absent such searches, it is difficult to maintain that a review of all of the cited claims would be a serious burden on the Examiner. At the very least, such initial searches should be conducted for efficiency purposes so that the searches would not need to be repeated in the event the Applicant was required to file one or more divisional applications.

The Requirement for Restriction should be withdrawn because it is believed that search and examination of the subject matter of Groups I and II would be substantially coextensive. The technical feature which is common to both of these groups is an acylurea compound having free isocyanate groups. Applicants submit that it is likely that a search for isocyanate compositions comprising acylureas of elected Group II and those of processes for making such compounds, Group I, would be coextensive. Such searches would be coextensive because the art being searched normally provides methods for manufacturing a compound (an acylurea compound having free isocyanate groups) when it discloses the compound. Until at least an initial search is performed and the results are analyzed, Applicants respectfully submit that such a restriction is not proper.

Applicants therefore request that the restriction requirement be withdrawn, or alternatively, held in abeyance until such time as the results of at least an initial is performed.

The Examiner is invited to contact the undersigned at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

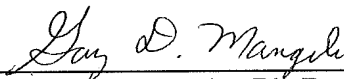
From the foregoing, Applicants earnestly solicit further and favorable action in the form of a Notice of Allowance.

If there are any questions concerning this paper or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

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